

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATION

Call to Order: By Chairman John Sinrud, on March 26, 2007 at
9:05 A.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Rep. John Sinrud, Chairman (R)
Rep. Eve Franklin, Vice Chairman (D)
Rep. Bill Beck (R)
Rep. Tim Callahan (D)
Rep. Bill E. Glaser (R)
Rep. Ray Hawk (R)
Rep. Cynthia Hiner (D)
Rep. Galen Hollenbaugh (D)
Rep. Dave Kasten (R)
Rep. Bill McChesney (D)
Rep. Penny Morgan (R)
Rep. John L. Musgrove (D)
Rep. Rick Ripley (R)
Rep. Jon C. Sesso (D)
Rep. Jack Wells (R)
Rep. Craig Witte (R)

Members Excused: Rep. Edith Clark (R)
Rep. Janna Taylor, Vice Chairman (R)
Rep. Joey Jayne (D)

Members Absent: None.

Staff Present: Linda Keim, Committee Secretary
Jon Moe, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 839, HB 824, 3/23/2007
Executive Action: HB 5, HB 12, HB 14, HB 95, HB 125,
HB 354, HB 406, HB 472, HB 502, HB
511, HB 794, HB 827, HB 835, HB
837, HB 836, HB 495, HB 817

HEARING ON HB 824

Opening Statement by Sponsor:

00:01:47 Rep. Pat Ingraham (R), HD 13, opened the hearing on HB 824, Exempt military pensions from state income tax.

Proponents' Testimony:

00:05:49 Roger Hagan, Chief Master Sargent-Retired, Officer and Enlisted Army National Guard Associations
00:10:02 Colonel Jim Jacobson, United States Army-Retired; Legislative Committee Chair, American Legion
00:12:33 Dan Antonietti, State Legislative Chair, Veterans of Foreign Wars of United States

Opponents' Testimony: None

Informational Testimony:

00:13:49 Brian Olsen, Income Tax Specialist, Department of Revenue
00:14:03 Joe Foster, Administrator, Montana Veterans Affairs Division

Questions from Committee Members and Responses:

00:14:19 Rep. Beck
00:14:54 Mr. Olsen
00:15:21 Rep. Beck
00:15:32 Rep. Ingraham
00:16:00 Rep. Beck
00:18:24 Mr. Foster
00:18:47 Rep. Sesso
00:19:55 Mr. Olsen
00:20:24 Rep. Sesso
00:21:40 Mr. Foster
00:21:47 Rep. Sesso
00:22:07 Rep. Ingraham
00:22:16 Rep. Musgrove
00:24:05 Rep. Ingraham

Closing by Sponsor:

00:24:54 Rep. Ingraham

HEARING ON HB 839

00:26:36 Rep. Sinrud cancelled the hearing on HB 839 at the sponsor's request. The bill was to be sent to Taxation.

00:26:49 Break

EXECUTIVE ACTION ON HB 5

01:11:17 **Motion/Vote:** Rep. Callahan moved **HB 5 DO PASS**. Motion failed 9-10 by roll call vote with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, Rep. Clark, and Rep. Musgrove voting aye. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

01:11:50 **Motion:** Rep. Wells moved **TO REVERSE VOTE AND TABLE**. Without objection, HB 5 was tabled and the vote was reversed.

EXECUTIVE ACTION ON HB 12

01:12:17 **Motion:** Rep. Witte moved **HB 12 DO PASS**.

01:14:19 **Motion/Vote:** Rep. Callahan moved **TO AMEND**. Motion carried 19-0 by voice vote. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

EXHIBIT(aph64a01)

01:15:21 **Motion/Vote:** Rep. Callahan moved **TO AMEND**. Motion carried 19-0 by voice vote. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

EXHIBIT(aph64a02)

01:16:29 **Motion:** Rep. Witte moved **HB 12 DO PASS AS AMENDED**.

Discussion:

01:16:43 Rep. Hawk

01:17:20 Rep. Sinrud

01:18:11 **Vote:** Motion carried 19-0 by roll call vote. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON HB 14

01:19:34 **Motion:** Rep. Morgan moved **TO TABLE HB 14**. Motion carried 11-8 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. McChesney, Rep. Clark, and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON HB 95

01:21:04 **Motion/Vote:** Rep. Musgrove moved **HB 95 DO PASS**. Motion carried 17-2 by roll call vote, with Rep. Witte and Rep. Hawk voting no. Rep. Jayne, Rep. McChesney, Rep. Clark, and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON HB 125

01:22:53 **Motion/Vote:** Rep. Kasten moved **HB 125 DO PASS**. Motion carried 12-7 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. McChesney, Rep. Clark, and Rep. Taylor voted by proxy.

Discussion:

01:24:32 Rep. Franklin
01:24:42 Rep. Sinrud

EXECUTIVE ACTION ON 354

01:25:25 **Motion/Vote:** Rep. Wells moved **TO TABLE HB 354**. Motion carried 11-8 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON HB 406

01:27:08 **Motion:** Rep. Morgan moved **HB 406 DO PASS**.

Discussion:

01:27:24 Rep. Franklin
01:27:39 Rep. Morgan

01:28:05 **Substitute Motion/Vote:** Rep. Kasten moved **TO TABLE HB 406**. Motion carried 10-9 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, Rep. Clark, and Rep. Musgrove voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON 472

01:29:33 **Motion/Vote:** Rep. Hawk moved **TO TABLE HB 472**. Motion carried 18-1 by voice vote, with Rep. Jayne voting no. Rep. Jayne, Rep. Clark and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON HB 502

01:30:31 **Motion/Vote:** Rep. Witte moved **TO TABLE HB 502**. Motion carried 13-6 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON HB 511

01:32:11 **Motion:** Rep. Sesso moved **HB 511 DO PASS**.

Discussion:

01:32:30 Rep. Sesso

01:32:43 **Substitute Motion/Vote:** Rep. Glaser moved **TO TABLE HB 511**. Motion carried 10-9 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, Rep. Musgrove, and Rep. Kasten voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON HB 794

01:34:25 **Motion:** Rep. Hiner moved **HB 794 DO PASS**.

01:34:35 **Substitute Motion/Vote:** Rep. Ripley moved **TO TABLE HB 794**. Motion carried 11-8 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON HB 817

01:36:02 **Motion:** Rep. Franklin moved **HB 817 DO PASS.**

01:36:29 Rep. Sinrud

01:36:34 Rep. Franklin **WITHDREW THE MOTION.**

EXECUTIVE ACTION ON HB 829

01:36:49 **Motion:** Rep. Sesso moved **HB 829 DO PASS.**

Discussion:

01:37:25 Rep. Sesso

01:37:32 Rep. Sinrud

01:38:07 **Motion:** Rep. Wells moved **TO AMEND.**

EXHIBIT (aph64a03)

Discussion:

01:39:08 Rep. Sinrud

01:39:12 **Vote:** Motion carried 19-0 by voice vote. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

01:39:40 **Motion:** Rep. Sesso moved **HB 829 DO PASS AS AMENDED.**

Discussion:

01:40:00 Rep. Glaser

01:40:45 Rep. Sesso

01:40:52 **Vote:** Motion carried 19-0 by roll call vote. Rep. Clark, Rep. Jayne, and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON 835

01:42:17 **Motion:** Rep. Sesso moved **HB 835 DO PASS.**

Discussion:

01:42:33 Rep. Sesso

01:43:54 **Vote:** Motion carried 15-4 by roll call vote, with Rep. Wells, Rep. Callahan, Rep. Hollenbaugh, and Rep. Musgrove voting no. Rep. Clark, Rep. Jayne, and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON HB 837

01:45:16 **Motion:** Rep. McChesney moved **HB 837 DO PASS.**

01:45:27 **Substitute Motion/Vote:** Rep. Glaser moved **TO TABLE.** Motion carried 11-8 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON HB 836

01:46:48 **Motion:** Rep. Ripley moved **HB 836 DO PASS.**
EXHIBIT (aph64a04)

01:47:09 **Substitute Motion/Vote:** Rep. Kasten moved **TO TABLE.** Motion carried 10-9 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Ripley, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

EXECUTIVE ACTION ON HB 495

01:48:52 **Motion:** Rep. Sesso moved **TO RECONSIDER HB 495.**

EXHIBIT (aph64a05)

Discussion:

01:49:50 Rep. Sesso
01:50:38 Rep. Sinrud
01:50:42 Rep. Wells
01:51:03 Rep. Sesso
01:52:57 Rep. Glaser
01:53:59 Rep. Sesso

01:54:15 **Vote:** Motion carried by voice vote 19-0. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

01:54:42 **Motion:** Rep. Sesso moved **HB 495 DO PASS.**

01:54:55 **Motion:** Rep. Sesso moved **TO AMEND.**

Discussion:

01:55:34 Rep. Sesso
01:58:50 Rep. Wells
01:59:32 Ms. Cathy Duncan, LFD
01:59:56 Ms. Duncan
02:00:50 Rep. Wells
02:03:12 Rep. Sesso
02:06:17 Rep. Glaser
02:07:01 Mr. Moe
02:07:23 Rep. Glaser
02:07:41 Rep. Ripley
02:07:57 Ms. Duncan
02:08:16 Rep. Ripley
02:08:31 Ms. Duncan
02:08:42 Rep. Kasten
02:09:07 Mr. Moe
02:09:38 Rep. Glaser
02:11:21 Mr. Moe
02:11:46 Rep. Wells
02:12:16 Ms. Duncan
02:13:52 Rep. Sesso
02:15:37 Rep. Ripley

02:15:54 Rep. Sesso **WITHDREW THE MOTION** on HB 495 and the
Amendment.

ADJOURNMENT

Adjournment: 11:27 A.M.

REP. JOHN SINRUD, Chairman

LINDA KEIM, Secretary

JS/lk

Additional Exhibits:

EXHIBIT ([aph64aad.pdf](#))